IN THE HIGH COURT OF UTTARANCHAL

AT NAINIAL

Writ Petition No. 458 (S/S) of 2004

Pramod Kumar Sharma
(Constable 50813) & others ……Petitions

Versus

State of Uttaranchal & others …….Respondents

Hon'ble M.M. Ghildiyal, J.

The petitioners are constables in P.A.C and posted at 40th Battalion, Haridwar. The petitioners have filed this writ petition for a direction to the respondents to take final decision on the options submitted by them.

Heard learned counsel for the petitioners Sri Lok Pal Singh and learned Standing Counsel for the State of Uttaranchal for the respondent no. 1, Sri B.S. Verma for the S.C. (U.P.) for the respondent no. 2 and Sri Rajiv Singh Bisht for the S.C. (Central) for the respondent no. 3.

The petitioner has submitted that prior creation of Uttaranchal, they had submitted their options for State of Uttar Pradesh, however, later on they have moved an application for withdrawal of the said options and requested the authorities to accept their options in favour of State of Uttaranchal as they are the permanent resident of State of Uttaranchal. The applications of he petitioners were forwarded by the Deputy Inspector General of Police/Commandant 40th Battalion of P.A.C., Haridwar vide letter dated 23.01.2002 to Inspector General Karmic, Uttaranchal Police Headquarter, Dehradun. The petitioners have submitted that no action has been taken on the application of the petitioners till date.

The respondent no. 1 is directed to take decision on the application of the petitioners for options in favour of Uttaranchal

preferably within a period of one month from the date of production of certified copy of this order. In case, the State of Uttaranchal comes to the conclusion, that the option is valid, the same be recommended to the respondent no. 3 (Union of India). The respondent no. 3 shall decide the issue as early as possible.

With these directions, the writ petition is finally disposed of.

Sd/-

06.05.2004.
ASWAL